

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|                                      |   |                                      |
|--------------------------------------|---|--------------------------------------|
| <b>FRANK FATO,</b>                   | : | <b>CIVIL ACTION NO. 1:07-CV-1291</b> |
|                                      | : |                                      |
| <b>Plaintiff</b>                     | : | <b>(Judge Conner)</b>                |
|                                      | : |                                      |
| <b>v.</b>                            | : |                                      |
|                                      | : |                                      |
| <b>VARTAN NATIONAL BANK, et al.,</b> | : |                                      |
|                                      | : |                                      |
| <b>Defendants</b>                    | : |                                      |

**ORDER**

AND NOW, this 16th day of September, 2008, upon consideration of the non-party motion of the Office of the Comptroller of the Currency ("OCC") for a stay of the court's September 5, 2008 order regarding the discoverability of records within the possession of the OCC (Doc. 29), and it appearing that official administrative procedures exist governing the disclosure of confidential OCC information, see 12 C.F.R. § 4.33(a)(3)(iii)(A)-(D), and the court finding it unclear whether plaintiff attempted to comply with these official administrative procedures, it is hereby ORDERED that:

1. Paragraph 1 of the September 5, 2008 order of court (Doc. 29) is STAYED pending disposition of the OCC's motion for a stay (Doc. 30).
2. Plaintiff is instructed to submit a brief in opposition to the OCC's motion for a stay (Doc. 30) by September 30, 2008. Failure to do so will result in the OCC's motion being granted as unopposed.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge